

MONDAY, MARCH 5, 1984

FORTY-THIRD LEGISLATIVE DAY

The House met at 5:00 p.m. and was called to order by Mr. Speaker McWherter.

The proceedings were opened with prayer by Reverend Wilson Q. Welch, Pastor, Howard United Church of Christ Congregational, Nashville, Tennessee.

Representative Love led the House in the Pledge of Allegiance to the Flag.

The roll call was taken with the following results:

Present 87

Representatives present were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), DeBerry, Dills, Dixon, Duer, Ellis, Elsea, Frensey, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stafford, Stallings, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wood, Work, Yelton and Mr. Speaker McWherter --87.

The Speaker announced that Representative Ford was excused because of business commitment.

The Speaker announced that Representative Withers was excused because of late plane flight.

The Speaker announced that Representative Robinson (Davidson) was excused because of death in family.

Mr. Speaker McWherter relinquished the Chair to Mr. Brewer, Speaker pro tem.

CALENDAR

Mr. Owen moved that House Bill No. 696 be placed on the Calendar for Wednesday, March 7, 1984, which motion prevailed.

Mr. Cobb moved that House Bill No. 767 be placed on the Calendar for Monday, March 19, 1984, which motion prevailed.

Mr. Love moved that House Bill No. 761 be placed on the Calendar for Monday, March 12, 1984, which motion prevailed.

Mr. Rhinehart moved that House Bill No. 653 be withdrawn from the House, which motion prevailed.

Mr. Cobb moved that House Bill No. 536 be placed on the Calendar for Monday, March 19, 1984, which motion prevailed.

Mr. Brewer moved that House Bill No. 1069 be re-referred to the Committee on Calendar and Rules, which motion prevailed.

Mr. Murphy moved that House Bills Nos. 1085, 1086 and 1087 be placed on the Calendar for Monday, April 2, 1984, which motion prevailed.

Mr. Smith moved that Senate Bill No. 769 be re-referred to the Committee on Calendar and Rules, which motion prevailed.

STATEMENT BY MR. SMITH

T.C.A. 67-5-1004(7) provides that recreational use lands are included in "Open Space Land" by previous acts of this Legislature. The members of the legislature having specifically included recreational uses such as parks, golf courses and playing fields in "Open Space Land" further delineation of each specific recreational use would be superfluous.

It appearing that Senate Bill No. 769 (HB 673) is but an unnecessary repetition of the Legislature's intent as previously expressed, codified in T.C.A. 67-5-1004(7), to include golf courses in "Open Space Land" it should be rereferred to the Committee on Calendar and Rules.

REPRESENTATIVE LOY L. SMITH

REPRESENTATIVE CHARLES M. SEVERANCE

REPRESENTATIVE TED RAY MILLER

MONDAY, MARCH 5, 1984--43rd LEGISLATIVE DAY

Mr. Wood moved that House Bill No. 1164 be placed on the Calendar for Monday, March 19, 1984, which motion prevailed.

Mr. Clark (Sumner) moved that House Bills Nos. 1017 and 1015 be re-referred to the Committee on Calendar and Rules, which motion prevailed.

Mr. Davidson moved that House Bill No. 1312 be re-referred to the Committee on State and Local Government, which motion prevailed.

Mr. Starnes moved that House Bill No. 171 be placed on the Calendar for Wednesday, March 7, 1984, which motion prevailed.

Mr. Love moved that House Bill No. 351 be placed on the Calendar for Monday, March 19, 1984, which motion prevailed.

COMMITTEE APPOINTMENTS

The Speaker announced that he has appointed Representative Turner of Hamilton County as a member of the following committees: Education and Government Operations.

The Speaker announced that he has appointed Representative Moody as a member of the following committees: Judiciary and Conservation and Environment.

APPOINTMENT OF COMMITTEE OFFICERS

The Speaker announced that he has appointed Representative King of Shelby County as Chairman of the Government Operations Committee, Representative Covington as Vice Chairman, and Representative Crain as Secretary of the Committee.

SECOND ROLL CALL

A roll call was taken with the following results:

Present 92

Representatives present were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Elsea, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wood, Work, Yelton and Mr. Speaker McWherter--92.

INTRODUCTION OF RESOLUTION

House Joint Resolution No. 273--Relative to study, funding police pay supplement--By Murphy.

The Speaker referred House Joint Resolution No. 273 to the Committee on State and Local Government.

INTRODUCTION OF BILLS

House Bill No. 1466--To make certain provisions, garnishment proceedings--By Murphy.

Passed first consideration.

House Bill No. 1467--To provide for legitimation, certain children--By Murphy.

Passed first consideration.

House Bill No. 1468--To amend Section 18-2-103, Code--By Murphy.

Passed first consideration.

House Bill No. 1469--To make certain provisions, court minutes --By Murphy.

Passed first consideration.

House Bill No. 1470--To further define professional bondsmen--By Murphy.

Passed first consideration.

House Bill No. 1471--To make certain provisions, court minutes --By Murphy.

Passed first consideration.

House Bill No. 1472--To make certain provisions, Public Service Commission--By King (Shelby), Murphy, Robinson (Hamilton), Starnes, McKinney and Kernell.

Passed first consideration.

House Bill No. 1473--To establish certain funds, juvenile services--By Murphy.

Passed first consideration.

House Bill No. 1474--To enact Health Services Cost Containment and Review Act--By Sir.

Passed first consideration.

House Bill No. 1475--To amend Section 2-1-112, Code--By Drew.

Passed first consideration.

House Bill No. 1476--To make certain provisions, public records
--By Murphy.

Passed first consideration.

House Bill No. 1477--To enact Conservation Corps Act--By Murphy.

Passed first consideration.

HOUSE BILLS ON SECOND CONSIDERATION

House Bill No. 1362--To increase longevity pay.

Passed second consideration and referred to Committee on State
and Local Government.

House Bill No. 1363--To provide for payment of cost, presidential
primary.

Passed second consideration and referred to Committee on State
and Local Government.

House Bill No. 1364--To require certain safety equipment, school
buses.

Passed second consideration and referred to Committee on
Education.

House Bill No. 1365--To amend Section 39-2-101, Code.

Passed second consideration and referred to Committee on
Judiciary.

House Bill No. 1366--To make certain provisions, coal surface
mining.

Passed second consideration and referred to Committee on
Conservation and Environment.

House Bill No. 1367--To amend Section 35-610, Code.

Passed second consideration and referred to Committee on
Judiciary.

House Bill No. 1368--To provide financial assistance, certain
T.P.S. graduates.

Passed second consideration and referred to Committee on Education.

House Bill No. 1369--To require parental consent, certain blood donations.

Passed second consideration and referred to Committee on General Welfare.

House Bill No. 1370--To make certain provisions, illegal parking.

Passed second consideration and referred to Committee on Transportation.

House Bill No. 1371--To regulate raccoon hunting, Macon County.

Passed second consideration and referred to Committee on Conservation and Environment.

House Bill No. 1372--To designate "Martin Luther King Day".

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 1373--To enact Comprehensive Education Reform Act.

Passed second consideration and referred to Committee on Education.

House Bill No. 1374--To increase longevity pay.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 1375--To adjust schedule for issuance of drivers' licenses.

Passed second consideration and referred to Committee on Transportation.

House Bill No. 1376--To provide license plates, firemen.

Passed second consideration and referred to Committee on Transportation.

House Bill No. 1377--To regulate manufacture and use, certain ammunition.

Passed second consideration and referred to Committee on Judiciary.

MONDAY, MARCH 5, 1984--43rd LEGISLATIVE DAY

House Bill No. 1378--To allow sale of alcoholic beverages, horse exposition centers.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 1379--To regulate distribution of solvent estates.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 1380--To provide for legitimation of children.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 1381--To regulate paternity proceedings.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 1382--To re-define an especially aggravated criminal offense.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 1383--To make certain provisions, contesting tax liability.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 1384--To provide for partial payments of taxes.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 1385--To provide for scheduling and classification of utility rates.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 1386--To amend Charter, Viola.

Passed second consideration and held without reference.

House Bill No. 1387--To amend Section 36-409, Code.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 1388--To increase membership, Advisory Commission on Intergovernmental Relations.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 1389--To regulate purchasing, Millington.

Passed second consideration and held without reference.

House Bill No. 1390--To amend Chapter 238, Private Acts, 1903.

Passed second consideration and held without reference.

House Bill No. 1391--To amend Chapter 260, Private Acts, 1974. Jones and Dixon.

Passed second consideration and held without reference.

House Bill No. 1392--To set guidelines, for indigent patients.

Passed second consideration and referred to Committee on General Welfare.

House Bill No. 1393--To amend Section 46-2-101, Code.

Passed second consideration and referred to Committee on Commerce.

House Bill No. 1394--To regulate advertising, funeral directors.

Passed second consideration and referred to Committee on Commerce.

House Bill No. 1395--To revise and reenact Title 49, Code.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 1396--To revise and reenact Title 67, Code.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 1397--To revise and codify general and public statutes.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 1398--To regulate purchasing, Savannah.

Passed second consideration and held without reference.

House Bill No. 1399--To impose drug testing fee, certain criminal cases.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 1400--To amend Section 55-102, Code.

Passed second consideration and referred to Committee on Transportation.

House Bill No. 1401--To provide for traffic citation in lieu of arrest, certain cases.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 1402--To provide for test fees, DUI cases.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 1403--To authorize bond issue, Hartsville General Hospital.

Passed second consideration and held without reference.

House Bill No. 1404--To regulate purchase of wheel discs, Shelby County.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 1405--To increase compensation, revenue commissioners, certain counties.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 1406--To provide for filling vacancies, certain utility district boards.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 1407--To make certain provisions, school textbooks.

Passed second consideration and referred to Committee on Education.

House Bill No. 1408--To require proof of immunization, school children.

MONDAY, MARCH 5, 1984--43rd LEGISLATIVE DAY

Passed second consideration and referred to Committee on General Welfare.

House Bill No. 1409--To make certain provisions, retirement benefits.

Passed second consideration and referred to Committee on Finance, Ways & Means.

House Bill No. 1410--To establish transplant surgery program.

Passed second consideration and referred to Committee on General Welfare.

House Bill No. 1411--To regulate inventory of estates.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 1412--To exempt certain farm equipment from sales tax.

Passed second consideration and referred to Committee on Agriculture.

House Bill No. 1413--To provide for disposition of fines, offense of DWI.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 1414--To regulate licensing, non-resident tobacco dealers.

Passed second consideration and referred to Committee on Commerce.

House Bill No. 1415--To establish board of education, Smith County.

Passed second consideration and held without reference.

House Bill No. 1416--To make certain provisions, board of pharmacy.

Passed second consideration and referred to Committee on Government Operations.

House Bill No. 1417--To amend Section 70-4-128, Code.

Passed second consideration and referred to Committee on Conservation and Environment.

MONDAY, MARCH 5, 1984--43rd LEGISLATIVE DAY

House Bill No. 1418--To make certain provisions, insurance agents.

Passed second consideration and referred to Committee on Commerce.

House Bill No. 1419--To enact Small Claims Court Act.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 1420--To establish group insurance plan, certain retired employees.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 1421--To exempt certain personal property from sales tax.

Passed second consideration and referred to Committee on Finance, Ways and Means.

House Bill No. 1422--To regulate hotel tax, Rutherford County.

Passed second consideration and held without reference.

House Bill No. 1423--To regulate purchasing, Murfreesboro.

Passed second consideration and held without reference.

House Bill No. 1424--To make certain provisions, housing authorities.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 1425--To amend County Purchasing Law.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 1426--To make certain provisions, U. T. Energy Institute.

Passed second consideration and referred to Committee on Education.

House Bill No. 1427--To establish speed limit, construction areas.

Passed second consideration and referred to Committee on Transportation.

House Bill No. 1428--To regulate licensing of cosmetologists.

Passed second consideration and referred to Committee on Commerce.

House Bill No. 1429--To protect county election commission members from libel.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 1430--To increase longevity pay.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 1431--To amend Charter, Kingsport.

Passed second consideration and held without reference.

House Bill No. 1432--To allow sale of alcoholic beverages, Urban Park Center.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 1433--To make certain provisions, Chickasaw Basin Authority.

Passed second consideration and referred to Committee on Conservation and Environment.

House Bill No. 1434--To expand participation, Chickasaw Basin Authority.

Passed second consideration and referred to Committee on Conservation and Environment.

House Bill No. 1435--To regulate selection of jurors.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 1436--To change definition of subdivision.

Passed second consideration and referred to Committee on Commerce.

House Bill No. 1437--To make certain provisions, special occasion licenses.

Passed second consideration and referred to Committee on Commerce.

MONDAY, MARCH 5, 1984--43rd LEGISLATIVE DAY

House Bill No. 1438--To authorize issuance of bonds, juvenile detention facilities.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 1439--To make certain provisions, health insurance coverage, newly born.

Passed second consideration and referred to Committee on General Welfare.

House Bill No. 1440--To create criminal offense of aggravated child abuse.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 1441--To amend Section 47-9-407, Code.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 1442--To provide a purchasing agent, Dyer County.

Passed second consideration and held without reference.

House Bill No. 1443--To make certain provisions, Obion-Forked Deer Basin Authority.

Passed second consideration and referred to Committee on General Welfare.

House Bill No. 1444--To require interest be paid on tax refunds.

Passed second consideration and referred to Committee on Finance, Ways and Means.

House Bill No. 1445--To make certain provision, sales tax distribution.

Passed second consideration and referred to Committee on Finance, Ways and Means.

House Bill No. 1446--To make certain provisions, outdoor advertising.

Passed second consideration and referred to Committee on Commerce.

House Bill No. 1447--To make certain provisions, investment securities.

Passed second consideration and referred to Committee on Commerce.

House Bill No. 1448--To make certain provisions, secured transactions.

Passed second consideration and referred to Committee on Commerce.

House Bill No. 1449--To clarify definition of restaurant.

Passed second consideration and referred to Committee on Commerce.

House Bill No. 1450--To make certain provisions, U. T. Energy Institute.

Passed second consideration and referred to Committee on Education.

House Bill No. 1451--To regulate transporting of alcoholic beverages.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 1452--To prohibit posting of campaign literature, utility poles.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 1453--To prohibit certain industrial banks.

Passed second consideration and referred to Committee on Commerce.

House Bill No. 1454--To make certain provisions, elections.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 1455--To regulate health club agreements.

Passed second consideration and referred to Committee on Commerce.

House Bill No. 1456--To make draft registration a requirement, enrollment in state supported schools.

Passed second consideration and referred to Committee on Education.

MONDAY, MARCH 5, 1984--43rd LEGISLATIVE DAY

House Bill No. 1457--To make certain provisions, assessment of property.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 1458--To set fine, theft of cable television services.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 1459--To limit political campaign contributions by corporations.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 1460--To require approval of certain campaign literature.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 1461--To appropriate funds, Tennessee Technology Foundation.

Passed second consideration and referred to Committee on Finance, Ways and Means.

House Bill No. 1462--To call for appropriations, research facilities.

Passed second consideration and referred to Committee on Finance, Ways and Means.

House Bill No. 1463--To increase amount, tax relief for elderly.

Passed second consideration and referred to Committee on Finance, Ways and Means.

House Bill No. 1464--To enact Amusement Ride and Attraction Safety Insurance Act.

Passed second consideration and referred to Committee on Commerce.

House Bill No. 1465--To provide for out-of-state expenses, legislators.

Passed second consideration and referred to Committee on State and Local Government.

MONDAY, MARCH 5, 1984--43rd LEGISLATIVE DAY

SENATE BILL ON SECOND CONSIDERATION

Senate Bill No. 1261--To provide for Presidential Advisory Referendum, Knox County.

Passed second consideration and held without reference.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No.:

144--Relative to welcoming Memphis Showboats to Tennessee; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

LOCAL BILLS TRANSMITTED TO CALENDAR AND RULES

In accordance with Rule No. 47, the following local bills, having received authorization for passage by the local legislative delegation, were transmitted to the Committee on Calendar and Rules: House Bills Nos. 1356, 1357, 1358, 1359, 1361, 1386, 1403 and 1431.

On motion of Mr. Naifeh the House adjourned until 2:15 p.m., Wednesday, March 7, 1984.